

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

GREENLEAF COMPASSIONATE CARE :
CENTER, INC., :
Plaintiff, :
 :
v. :
 :
MATTHEW SANTACROCE, in his official :
capacity as Deputy Director of the Rhode :
Island Department of Business Regulation; :
ERICA FERRELLI, in her official capacity as :
Chief of the Office of Cannabis Regulation :
within the Rhode Island Department of :
Business Regulation; KIMBERLY AHERN, :
in her official capacity as Chair of the Rhode :
Island Cannabis Control Commission; :
ROBERT JACQUARD, in his official capacity :
as Commissioner on the Rhode Island Cannabis :
Control Commission; OLAYIWOLA :
ODUYINGBO, in his official capacity as :
Commissioner on the Rhode Island Cannabis :
Control Commission; and LOCAL 328 OF THE :
UNITED FOOD AND COMMERCIAL :
WORKERS UNION, :
Defendants. :

C.A. No. 23-cv-282

STATE DEFENDANTS’ MOTION TO DISMISS

State Defendants Matthew Santacroce, in his official capacity as Deputy Director of the Rhode Island Department of Business Regulation, Erica Ferrelli, in her official capacity as Chief of the Office of Cannabis Regulation, Kimberly Ahern, in her official capacity as the Chair of the Rhode Island Cannabis Control Commission, Robert Jacquard, in his official capacity as Commissioner on the Rhode Island Cannabis Control Commission, and Olayiwola Oduyingbo, in his official capacity as Commissioner on the Rhode Island Cannabis Control Commission (“State Defendants”), hereby move to dismiss the Complaint filed by Plaintiff Greenleaf Compassionate Care Center, Inc. for lack of subject matter jurisdiction under Rule 12(b)(1) of the Federal Rules

of Civil Procedure. In support, State Defendants rely on their contemporaneously submitted Memorandum of Law.

Respectfully Submitted,
Matthew Santacroce, in his official capacity as Deputy Director of the Rhode Island Department of Business Regulation; Erica Ferrelli, in her official capacity as Chief of the Office of Cannabis Regulation within the Rhode Island Department of Business Regulation; Kimberly Ahern, in her official capacity as Chair of the Rhode Island Cannabis Control Commission; Robert Jacquard, in his official capacity as Commissioner on the Rhode Island Cannabis Control Commission; Olayiwola Oduyingbo, in his official capacity as Commissioner on the Rhode Island Cannabis Control Commission

State Defendants,
BY:

PETER F. NERONHA
ATTORNEY GENERAL

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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on September 21, 2023, I filed and served the herein document through the electronic filing system on the attorneys of record. The herein document electronically filed and served is available for viewing and/or downloading from the ECF Filing System.

/s/ Chelsea Baittinger